

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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CARLOS BOYLAND, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

Case No. 2:19-cv-02594

MID-SOUTH TRANSPORTATION  
MANAGEMENT, INC.,

Defendant.

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**CONSENT ORDER CONDITIONALLY  
CERTIFYING CASE AS FLSA COLLECTIVE ACTION**

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BY AGREEMENT AND CONSENT of the parties, the Court hereby orders:

1. That this case, brought under the Fair Labor Standards Act (FLSA), is conditionally certified as a collective action under 29 U.S.C. § 216(b);
2. That Defendant will provide Plaintiffs, within ten (10) days of the entry of this Consent Order, a list of names, last known addresses, and the last four digits of their Social Security numbers for all bus operators who were paid pursuant to the terms in the Collective Bargaining Agreement<sup>1</sup> ("CBA") (excluding paratransit operators) and who performed work as bus operators for Defendant between January 1, 2017 and the present;

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<sup>1</sup> The current Collective Bargaining Agreement is Contract No. 46 between Mid-South Transportation Management, Inc. and Amalgamated Transit Union Local 713, July 1, 2017 thru June 30, 2020. Contract No. 45 applies to the time period September 7, 2014 to June 30, 2017.

3. That the attached agreed court approved notice (Exhibit A) and opt-in Plaintiff consent form (Exhibit B) will be sent to all bus operators identified in the list produced by Defendant pursuant to Paragraph 2 of this Order except those who have already joined this lawsuit;

4. That Plaintiff will mail the court approved notice on or before ten (10) days after Defendant produces the list of bus operators to Plaintiff, and that the opt-in period will run for forty-five (45) days from mailing; and

5. That the opt-in Plaintiffs' consent forms will be deemed "filed" for purposes of this Order on the date they are postmarked as long as the consent forms are filed with the Court within ten (10) days after they are postmarked;

**SO ORDERED**, this 30th day of December, 2019.

/s/ Jon P. McCalla  
JON P. McCALLA  
UNITED STATES DISTRICT JUDGE

**APPROVED FOR ENTRY:**

/s/ William B. Ryan

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ATTORNEYS FOR PLAINTIFFS AND THE  
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&

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